



Board of Zoning Appeals

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

[Http://planning.city.cleveland.oh.us/bza/cpc.html](http://planning.city.cleveland.oh.us/bza/cpc.html)

216.664.2580

August 20, 2018

9:30

Calendar No. 18-165:

2885 West 25 Street

Ward 14

Jasmine Santana

14 Notices

Hispanic Village Inc., owner, proposes to demolish residential structures and build a new veterinary clinic in a C2 Local Retail Business District and a Pedestrian Retail Overlay District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 343.11(b)(2)(B) which states that a veterinary clinic is first permitted in the General Retail Business District and the proposed location is in the Local Retail Business District.
2. Section 343.23(e)(2)(E) which states that any use with more than forty (40) feet of frontage along the Pedestrian Retail Street Frontage requires a Conditional Approval by the City Planning Commission.
3. Section 343.23(e)(2)(F) which states that a building with an interior side yard more than four (4) feet in width and located within forty (40) feet of a Pedestrian Retail Frontage requires a Conditional Approval by the City Planning Commission.
4. Section 349.04(d) which states that thirty three off street spaces are required and twenty one spaces are provided.
5. Section 352.04 which states that a Landscape plan is required.
6. Section 341.02 which states that proposed site is in design review district and must be approved by The City Planning Commission. (Filed July 18, 2018)

9:30

Calendar No. 18-166:

1963 W. 47 St.

Ward 3

Kerry McCormack

12 Notices

Spiegelrl Ohio, LLC., owner, proposes to erect a 2,113 square foot single family house with a detached garage on a 4,224 square foot lot in a B1 Two Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that the minimum lot width for a single family dwelling in "B" area districts is 40 feet and a 32 foot wide lot is proposed. This section also states that a minimum lot area of 4,800 square feet is required for a single family dwelling and a lot area of 4,224 square feet is proposed.
2. Section 357.09(b)(2)(B) which states that in a Two Family District no interior side yard, shall be less than five (5) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth (1/4) the height of the main building in on the premises. The required side yard is 7'-9" and a 7'-0" side yard is proposed.

3. Section 357.13(b)(4) which states that front yard, open porticos or porches (deck) shall not project more than six (6) feet. Proposed deck projects 11'-0" into the front yard setback.
4. Section 341.02(b) which states that City Planning approval is required prior to the issuance of a building permit. (Filed July 20, 2018)

9:30

Calendar No. 18-167:

1867 West 50 St.

Ward 3

Kerry McCormack

8 Notices

Noelle Kocian Finnerty, owner, proposes to install an air conditioning unit next to a shed in the required interior side yard in a B1 Two-Family Residential District. The owner appeals for relief from the strict application Section 357.13(c) which states that an air conditioning unit is not a permitted interior side yard encroachment and a shed is not a permitted interior side yard encroachment. (Filed July 24, 2018)

9:30

Calendar No. 18-171:

5437 Broadway Ave.

Ward 5

Phyllis Cleveland

19 Notices

4 Ever Social Club, owner, proposes to establish use as office in a C2 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 349.01(c) which states that whenever the existing use of building or structure shall hereafter be changed to a new use, parking facilities shall be provided as required for such new use and no parking spaces are provided.
2. 349.12(a) The Board of Zoning Appeals must approve a parking lot use agreement. (Filed July 30, 2018)

POSTPONED FROM JULY 9, 2018

9:30

Calendar No. 18-91:

13701 Kinsman Rd.

Ward 4

Kenneth L. Johnson

14 Notices

Maranatha Bible College, owner, proposes to install an illuminated ID wall sign in a B1 Residence Office District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 350.13 which states that a maximum of one 40 square foot sign per vehicle entrance is permitted and one 320 square foot sign is proposed.
2. Section 350.13(g) which states that electronic display sign for community facility in a Residence District requires BZA approval. (Filed April 19, 2018-No Testimony) *SECOND POSTPONEMENT WAS MADE AT THE REQUEST OF THE CITY TO ALLOW FOR TIME FOR DESIGN REVIEW. THIS CASE WAS ALSO DISMISSED ON JUNE 4, 2018 FOR WANT OF PROSECUTION; IT WAS REINSTATED TO JULY 9, DUE TO A MISCOMMUNICATION BETWEEN THE APPELLANT AND THE COMMUNITY DEVELOPMENT CORPORATION. FIRST POSTPONEMENT MADE AT THE REQUEST OF CITY PLANNING TO ALLOW FOR TIME FOR DESIGN REVIEW.*

POSTPONED FROM JUNE 18, 2018

9:30

Calendar No. 18-120:

1359 West 95 Street

Ward 15

Matt Zone

30 Notices

Nigel Pope, owner, proposes to change use from a four unit apartment building to a Boarding Home in a B2 Two-Family Residential District. The owner appeals for relief from the strict application of Section 337.08(c) of the Cleveland Codified Ordinances which states that Boarding homes are first permitted in the Multi-Family Residential Districts; proposed location is in a Two Family District. (Filed May 23, 2018-No Testimony) *FIRST POSTPONEMENT MADE AT THE REQUEST OF THE BOARD TO ALLOW FOR TIME FOR THE APPELLANT TO MEET WITH THE COUNCILMAN AND CDC.*

POSTPONED FROM JULY 16, 2018

9:30

Calendar No. 18-146:

736 Starkweather Ave.

Ward 3

Kerry McCormack

16 Notices

Amy Roberts, owner, proposes to install a 5 foot tall fence with gate and a 6 foot tall board on board fence in the front yard in an RA2 Townhouse District and a Planned Unit Development Overlay District. The owner appeals for relief from the strict application of Section 358.05(a)(2) of the Cleveland Codified Ordinances which states that fences in the actual front yards shall not exceed 4 feet in height and a 5 foot tall ornamental fence with gate is proposed. City Planning Approval is required for exterior alterations per Section 334.18. (Filed June 26, 2018-No Testimony) *FIRST POSTPONEMENT MADE AT THE REQUEST OF THE CITY TO ALLOW TIME FOR CITY PLANNING REVIEW.*

POSTPONED FROM JULY 23, 2018

9:30

Calendar No. 18-153:

4610 Clinton Ave.

Ward 3

Kerry McCormack

14 Notices

Cleveland Bricks, owner, proposes to build a new three story single family residential home on a newly proposed 4,450 square foot lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 342.01(b) which states that the maximum height permitted is 35 feet and the appellant is proposing 37 feet.
2. Section 355.04 which states that the minimum lot area required is 4,800 square feet for a single family residence and a 4,450 square foot lot is proposed. This section also states that the maximum gross floor area allowed is 2,225 square feet and the proposed gross floor area is 2,840 square feet.
3. Section 357.09(b)(2)(A) which states that the required aggregate width of side yards is 18.75 feet and the proposed aggregate side yards are 11 feet. This section also states that no building shall be erected less than ten feet from a main building on an adjoining lot; an existing residence is approximately 7 ½ from the proposed new building.
4. Section 357.13(b)(4) which states that an open porch projecting not more than six (6) feet is a permitted front yard encroachment; proposed porch dimensions are 8' x 19'. (Filed June 29 2018-No Testimony) *FIRST POSTPONEMENT MADE AT THE REQUEST OF THE LANDMARKS COMMISSION TO ALLOW FOR TIME FOR REVIEW.*

POSTPONED FROM JULY 23, 2018

9:30

Calendar No. 18-154:

4608 Clinton Ave.

Ward 3

Kerry McCormack

14 Notices

Cleveland Bricks, owner, proposes to renovate a single family residence on a newly proposed 2200 square foot lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 349.04 which states that one parking space on premises is required for one family residence; there is no access from the right-of-way to proposed parking spaces and access easement is proposed.
2. Section 355.04 which states that the minimum lot area required is 4800 square feet for a one family residence and a 2200 square foot lot is proposed.
3. Section 355.04 which states that the maximum gross floor area allowed is 1200 square feet and the proposed gross floor area is 1460 square feet. (Filed June 29, 2018-No Testimony)

FIRST POSTPONEMENT MADE AT THE REQUEST OF THE LANDMARKS COMMISSION TO ALLOW FOR TIME FOR REVIEW.

POSTPONED FROM JULY 9, 2018

9:30

Calendar No. 18-136:

13417 Crennell Avenue

Ward 2

Kevin L. Bishop

28 Notices

WITHDRAWN

Wannetta A. Allen, owner, proposes to establish use as a state licensed Residential Facility for seven residents in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 325.571 which states that "Residential Facility" means a publicly or privately operated home or facility, licensed pursuant to state law, that provides accommodations, supervision, and personal care services to any of the following: (a) one (1) or two (2) unrelated persons with mental illness; (b) one (1) or two (2) unrelated adults who are receiving residential state supplement payments as defined in the Ohio Revised Code; or (c) three (3) to sixteen (16) unrelated adults.
2. Section 337.08(g) which states that a residential facility, as defined in Chapter 325 of the Zoning Code, for six (6) to sixteen (16) persons is not permitted in a Two Family District, first permitted in a Multi-Family Residential District, and only if approved by the City Planning Department as a conditional use. (Filed June 8, 2018)